

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**THE DALLAS MORNING NEWS, L.P.,** §

**Plaintiff,** §

**v.** §

**THOMAS NELSON INC. D/B/A COOL  
SPRINGS PRESS, COOL SPRINGS  
PRESS, INCORPORATED AND  
WAYNICK BOOKS, INC.,** §

**Defendants.** §

**CIVIL ACTION NO. 3-05CV-2163N  
EFC**

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**STIPULATED MOTION TO DISMISS WITHOUT PREJUDICE**

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TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, The Dallas Morning News, L.P. ("The Dallas Morning News") files its Motion to Dismiss without Prejudice as to Defendant Cool Springs Press, Incorporated ("Cool Springs Press") and shows the Court as follows:

The Dallas Morning News does not currently wish to pursue matters asserted in this lawsuit against Cool Springs Press. Cool Springs Press has stipulated to its Dismissal without Prejudice. Therefore, The Dallas Morning News requests that all claims against Cool Springs Press be dismissed without prejudice to the refiling of the same with all costs borne by the parties incurring the same.

WHEREFORE, The Dallas Morning News respectfully requests that the Court dismiss all claims against Cool Springs Press, Incorporated in the above-styled and numbered cause without prejudice to the refiling of same.

Respectfully submitted,



**BRYAN HAYNES**

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**ATTORNEYS FOR PLAINTIFF  
THE DALLAS MORNING NEWS, L.P.**

STIPULATED BY:

By: 

M. David Bryant

Cox Smith Matthews Inc.

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**ATTORNEYS FOR DEFENDANT  
COOL SPRINGS PRESS, INCORPORATED**

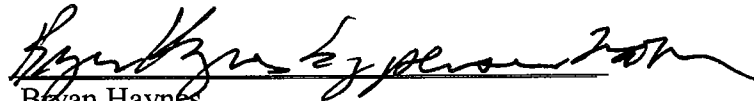
**ELECTRONIC CERTIFICATE OF SERVICE**

I hereby certify that on the 22<sup>nd</sup> day of February, 2006, I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

M. David Bryant  
Cox Smith Matthews Inc.  
1201 Elm St., Suite 4242  
Dallas, Texas 75270

I hereby certify that I have served the foregoing document by mailing a copy to the following individuals:

Jay S. Bowen  
Bowen Riley Warnock & Jacobson, PLC  
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Bryan Haynes